

Before the  
Federal Communications Commission  
Washington, D.C. 20554

Nov 10 4 41 PM '05

FCC 05M-53

04854

In the Matter of	)	EB Docket No. 04-381
	)	
Florida Cable Telecommunications	)	
Association, Inc.; Comcast Cablevision of	)	
Panama City, Inc.; Mediacom Southeast,	)	
L.L.C.; and Cox Communications Gulf,	)	
L.L.C.,	)	
	)	
Complainants,	)	
	)	
v.	)	
	)	
Gulf Power Company,	)	
	)	
Respondent.	)	

### ORDER

Issued: November 9, 2005

Released: November 10, 2005

An informal telephone conference was conducted on November 9, 2005. The reason for the conference was scheduling. The current procedural dates were set in *Order* FCC 05M-38, released August 5, 2005. Due to current circumstances regarding discovery, there are date changes that are appropriate.

- |                          |   |                                                                                                                      |
|--------------------------|---|----------------------------------------------------------------------------------------------------------------------|
| <b>November 21, 2005</b> | - | Status Conference at 9:30 a.m. in Courtroom (on-the-record). <sup>1</sup>                                            |
| <b>November 22, 2005</b> | - | Exchange Summaries and Curriculum Vitae of Testifying Experts by 12 noon (EST).                                      |
| <b>December 9, 2005</b>  | - | Gulf Power to comply with <i>Second Discovery Order</i> , FCC 05M-44 (maps identifying full capacity/crowded poles). |

<sup>1</sup> See Complainants' Request for a Status Hearing filed November 7, 2005. The primary agenda at the conference is discovery completion and trial preparation.

- December 9, 2005** - Gulf Power to identify Bates documents (00826-2309) relied on to assert an unregulated market. [Request No. 12.]
- December 9, 2005** - Gulf Power to provide status report on providing accounting books and records on costs. [Request No. 2.]

On November 5, 2005, Gulf Power filed a second set of Interrogatories and Requests for Production of Documents. Complainants shall file responsive pleadings with the time permitted by the Commission's rules of practice. In view of the late date for initiating interrogatory and document discovery, the parties shall seriously negotiate answers to interrogatories and document production to the extent possible.<sup>2</sup>

SO ORDERED.

FEDERAL COMMUNICATIONS COMMISSION<sup>3</sup>



Richard L. Sippel  
Chief Administrative Law Judge

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<sup>2</sup> For example, Gulf Power is now seeking documents of original entry which show profits of Complainants operations relating to cable attachments. The question is whether sufficient information on profit centers is available in public filings at FCC, FERC, SEC.

<sup>3</sup> Courtesy copies of this *Order* were transmitted to counsel for each of the parties by e-mail on the date of issuance.